

Senate File 442 - Introduced

SENATE FILE 442
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1248)

A BILL FOR

1 An Act relating to appropriations to the judicial branch.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. JUDICIAL BRANCH.

2 1. There is appropriated from the general fund of the state
3 to the judicial branch for the fiscal year beginning July 1,
4 2013, and ending June 30, 2014, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 a. For salaries of supreme court justices, appellate court
8 judges, district court judges, district associate judges,
9 judicial magistrates and staff, state court administrator,
10 clerk of the supreme court, district court administrators,
11 clerks of the district court, juvenile court officers, board of
12 law examiners and board of examiners of shorthand reporters and
13 judicial qualifications commission; receipt and disbursement
14 of child support payments; reimbursement of the auditor
15 of state for expenses incurred in completing audits of the
16 offices of the clerks of the district court during the fiscal
17 year beginning July 1, 2013; and maintenance, equipment, and
18 miscellaneous purposes:

19 \$164,599,367

20 b. For deposit in the revolving fund created pursuant
21 to section 602.1302, subsection 3, for jury and witness
22 fees, mileage, costs related to summoning jurors, fees for
23 interpreters, and reimbursement of attorney fees paid by the
24 state public defender:

25 \$ 3,100,000

26 2. The judicial branch, except for purposes of internal
27 processing, shall use the current state budget system, the
28 state payroll system, and the Iowa finance and accounting
29 system in administration of programs and payments for services,
30 and shall not duplicate the state payroll, accounting, and
31 budgeting systems.

32 3. The judicial branch shall submit monthly financial
33 statements to the legislative services agency and the
34 department of management containing all appropriated accounts
35 in the same manner as provided in the monthly financial status

1 reports and personal services usage reports of the department
2 of administrative services. The monthly financial statements
3 shall include a comparison of the dollars and percentage
4 spent of budgeted versus actual revenues and expenditures on
5 a cumulative basis for full-time equivalent positions and
6 dollars.

7 4. The judicial branch shall focus efforts upon the
8 collection of delinquent fines, penalties, court costs, fees,
9 surcharges, or similar amounts.

10 5. It is the intent of the general assembly that the offices
11 of the clerks of the district court operate in all 99 counties
12 and be accessible to the public as much as is reasonably
13 possible in order to address the relative needs of the citizens
14 of each county.

15 6. In addition to the requirements for transfers under
16 section 8.39, the judicial branch shall not change the
17 appropriations from the amounts appropriated to the judicial
18 branch in this division of this Act, unless notice of the
19 revisions is given prior to their effective date to the
20 legislative services agency. The notice shall include
21 information on the branch's rationale for making the changes
22 and details concerning the workload and performance measures
23 upon which the changes are based.

24 7. The judicial branch shall submit a semiannual update
25 to the legislative services agency specifying the amounts of
26 fines, surcharges, and court costs collected using the Iowa
27 court information system since the last report. The judicial
28 branch shall continue to facilitate the sharing of vital
29 sentencing and other information with other state departments
30 and governmental agencies involved in the criminal justice
31 system through the Iowa court information system.

32 8. The judicial branch shall provide a report to the general
33 assembly by January 1, 2014, concerning the amounts received
34 and expended from the enhanced court collections fund created
35 in section 602.1304 and the court technology and modernization

1 fund created in section 602.8108, subsection 7, during the
2 fiscal year beginning July 1, 2012, and ending June 30, 2013,
3 and the plans for expenditures from each fund during the fiscal
4 year beginning July 1, 2013, and ending June 30, 2014. A copy
5 of the report shall be provided to the legislative services
6 agency.

7 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
8 provision to the contrary, for the fiscal year beginning July
9 1, 2013, and ending June 30, 2014, if all parties in a case
10 agree, a civil trial including a jury trial may take place in a
11 county contiguous to the county with proper jurisdiction, even
12 if the contiguous county is located in an adjacent judicial
13 district or judicial election district. If the trial is moved
14 pursuant to this section, court personnel shall treat the case
15 as if a change of venue occurred. However, if a trial is moved
16 to an adjacent judicial district or judicial election district,
17 the judicial officers serving in the judicial district or
18 judicial election district receiving the case shall preside
19 over the case.

20 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
21 602.1509, for the fiscal year beginning July 1, 2013, a
22 judicial officer may waive travel reimbursement for any travel
23 outside the judicial officer's county of residence to conduct
24 official judicial business.

25 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
26 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
27 required to be provided by the judicial branch for fiscal year
28 2013-2014 to the legislative services agency shall be provided
29 in an electronic format. The legislative services agency shall
30 post the reports on its internet website and shall notify by
31 electronic means all the members of the joint appropriations
32 subcommittee on the justice system when a report is posted.
33 Upon request, copies of the reports may be mailed to members of
34 the joint appropriations subcommittee on the justice system.

35 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding

1 the annual salary rates for judicial officers established by
2 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
3 beginning July 1, 2013, and ending June 30, 2014, the supreme
4 court may by order place all judicial officers on unpaid leave
5 status on any day employees of the judicial branch are placed
6 on temporary layoff status. The biweekly pay of the judicial
7 officers shall be reduced accordingly for the pay period in
8 which the unpaid leave date occurred in the same manner as
9 for noncontract employees of the judicial branch. Through
10 the course of the fiscal year, the judicial branch may use an
11 amount equal to the aggregate amount of salary reductions due
12 to the judicial officer unpaid leave days for any purpose other
13 than for judicial salaries.

14 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
15 of the general assembly that the judicial branch utilize
16 the Iowa communications network or other secure electronic
17 communications in lieu of traveling for the fiscal year
18 beginning July 1, 2013.

19 EXPLANATION

20 This bill makes appropriations to the judicial branch.

21 The bill appropriates from the general fund of the state for
22 FY 2013-2014 to the judicial branch for salaries, maintenance,
23 equipment, and miscellaneous purposes.

24 The bill provides that a civil trial including a jury trial
25 may take place in a county contiguous to the county with proper
26 jurisdiction, even if the contiguous county is located in an
27 adjacent judicial district or judicial election district, if
28 all the parties in a case agree. If a trial is moved to another
29 county that is located in another judicial district or judicial
30 election district, the judicial officers serving the judicial
31 district or judicial election district receiving the case shall
32 preside over the case.

33 The bill permits a judicial officer to waive travel
34 reimbursement for any travel outside the judicial officer's
35 county of residence to conduct official business.

1 The bill requires the judicial branch to file reports with
2 the legislative services agency in an electronic format.

3 The bill allows a judicial officer to be placed on unpaid
4 leave for the fiscal year beginning July 1, 2013, and ending
5 June 30, 2014, on any day a court employee is required to
6 furlough. The bill provides that if a judicial officer is
7 placed on unpaid leave, the salary of the judicial officer
8 shall be reduced accordingly for the pay period in which the
9 unpaid leave occurred. Through the course of the fiscal year,
10 the bill provides that the judicial branch may use an amount
11 equal to the aggregate amount of the salary reductions due
12 to judicial officer unpaid leave for any purpose other than
13 judicial salaries.